

1956 No. 1773

MINES AND QUARRIES

The Coal and Other Mines (Sidings) Order, 1956

<i>Made - - - -</i>	<i>7th November, 1956</i>
<i>Laid before Parliament</i>	<i>26th November, 1956</i>
<i>Coming into Operation</i>	<i>1st January, 1957</i>

Whereas by subsection (1) of section one hundred and ninety of the Mines and Quarries Act, 1954(a) (hereinafter referred to as "the Act"), the Minister of Fuel and Power (hereinafter referred to as "the Minister") is empowered to re-enact amongst other things (to the extent to which they could by virtue of the Act be enacted in regulations made under section one hundred and forty-one thereof) provisions of any regulation having effect by virtue of section eighty-six of the Coal Mines Act, 1911(b), subject to such modifications (if any) as appear to him to be consequential on the passing of the Act or requisite for the purpose either of bringing those provisions into conformity with the Act or of expressly limiting their operation to mines of the class to which their operation is limited immediately before the commencement of the Act:

And Whereas by subsection (2) of that section it is provided amongst other things that an order under subsection (1) shall set out in a schedule to the order the provisions thereby re-enacted and may direct that those provisions shall have effect as if they were regulations made under section one hundred and forty-one of the Act:

Now, therefore, the Minister in pursuance of the powers conferred upon him by section one hundred and ninety of the Act hereby orders as follows:—

1.—(1) The provisions set out in the schedule hereto, being provisions of regulations twenty-three, one hundred and fifty, one hundred and fifty-one, one hundred and fifty-three to one hundred and fifty-five, one hundred and fifty-seven to one hundred and sixty-nine, and one hundred and seventy-one of the General Regulations dated July 10, 1913(c), subject to such modifications as aforesaid, are hereby re-enacted and shall have effect as if they were regulations made under section one hundred and forty-one of the Act coming into operation at the commencement of the Act.

(2) The provisions set out in the schedule hereto may be cited as the Coal and Other Mines (Sidings) Regulations, 1956.

2. This order shall come into operation at the commencement of the Act and may be cited as the Coal and Other Mines (Sidings) Order, 1956.

Dated this seventh day of November, nineteen hundred and fifty-six.

Aubrey Jones,
Minister of Fuel and Power.

(a) 2 & 3 Eliz. 2. c. 70. (b) 1 & 2 Geo. 5. c. 50. (c) S.R. & O. 1913/748 (Rev. IV, p. 318: 1913, p. 680).

SCHEDULE

THE COAL AND OTHER MINES (SIDINGS) REGULATIONS, 1956, HAVING EFFECT AS IF MADE UNDER SECTION ONE HUNDRED AND FORTY-ONE OF THE MINES AND QUARRIES ACT, 1954.

Application

1. These regulations shall apply, at every mine of coal, stratified ironstone, shale or fireclay, in relation to any railway line above ground which is deemed by virtue of subsection (3) or (5) of section one hundred and eighty of the Act to form part of the mine, being a line (except in regulation two) of a gauge not less than four feet eight and one half inches. In these regulations "mine" and "line" means such a mine and such a line respectively.

Transport of persons

2.—(1) The manager of every mine at which trains are run on a line for the conveyance of workmen shall ensure that each such train is accompanied by, and all persons therein are in the charge of, a competent person appointed by him.

(2) No person shall get on to or off such a train when it is moving or ride upon the footboard, buffer or coupling of any vehicle forming part thereof.

Points and signal wires

3. It shall be the duty of the manager of every mine to ensure—

(a) that any points rod or signal wire installed for use in connection with a line, being a points rod or signal wire so positioned as to be a source of danger to persons employed at that mine, is sufficiently covered or otherwise guarded; and

(b) that every ground lever for the operation of points on any line at the mine, being a line constructed after the tenth day of June, nineteen hundred and eleven, is so installed that any person moving that lever is, when so doing, clear of any traffic on any adjacent line, and that that lever is—

(i) so installed that it can be moved only in directions as nearly as may be parallel to the track of rails nearest to that lever; or

(ii) of such a shape and so installed as to minimise obstruction to persons employed at the mine.

Provision of equipment and safety devices

4. It shall be the duty of the manager of every mine to ensure that there are provided in relation to every line—

(a) sufficient coupling poles or other suitable mechanical appliances for the purpose of coupling and uncoupling vehicles;

(b) where requisite, sufficient pointed wooden sprags (each of a length not exceeding three feet) and sufficient scotches; and

(c) on every self-acting incline, that is to say an arrangement in which vehicles are pulled or intended to be pulled up a line by other vehicles moving by gravity down another line, such safety devices as are necessary to prevent the occurrence of accidents likely to cause bodily injury to persons, being accidents caused by the running away of such vehicles, and, at the top of each of those lines, stop-blocks.

Operation of points

5.—(1) Every person who operates points on a line by holding them in position shall, before leaving those points, satisfy himself that they are in the proper position which they are intended to resume when not so held.

(2) Every person who moves a throw-over lever which operates points on a line shall, before leaving that lever, satisfy himself that it is in the proper position in which, having regard to the safe operation of any traffic on the lines concerned, it should be placed.

Movement of vehicles

6. The manager of every mine shall make and secure the efficient carrying out of arrangements whereby (except in the case of a vehicle being moved by a railway company) no vehicle is moved on a line otherwise than under the charge of a competent person appointed by the manager for that purpose.

7. No person shall move a vehicle, and no person in charge of a vehicle shall allow it to be moved, on a line by means of a prop or pole unless there is no other practicable method of moving the vehicle.

8. No person shall couple or uncouple any vehicle in motion in circumstances in which it is practicable to use a coupling pole or other suitable mechanical appliance for that purpose except by means of such a pole or appliance.

9. In every case in which any person employed at a mine is or might be exposed to risk of injury by reason of the movement on a line of two or more other vehicles pushed by a locomotive, the person in charge of those other vehicles shall—

(a) accompany or precede the leading vehicle, watch the line ahead of it, and give any warning which may be requisite for the purpose of minimising that risk; or

(b) ensure that that vehicle is accompanied or preceded by a person charged by him with the duty of watching the line ahead of it and giving any warning which may be requisite for the purpose aforesaid: or

(c) make and secure the efficient carrying out of any other arrangements whereby that risk is minimised.

10. In every case in which the movement of a vehicle on a line would be likely to endanger the safety of any person employed at the mine, that movement shall not be made unless appropriate warning has been given to that person by the person in charge of that vehicle.

11. The manager of every mine shall make and secure the efficient carrying out of arrangements whereby no locomotive or train is, during any period between one hour after sunset and one hour before sunrise, or in a fog, moved on a line at a part of the mine through which persons pass on foot or at which persons work, being a part at which there is not for the time being sufficient fixed artificial lighting, unless a suitable warning light is fixed to the leading end of that locomotive or train or that end is accompanied or preceded by a person carrying such a light.

12. Every driver in charge of a locomotive on a line, or a person preceding that locomotive on foot, shall, on approaching any level crossing ordinarily used by persons employed at the mine to cross that line, any curve of the line round which it is not possible to see from the locomotive or any other place at which the safety of any person employed at the mine is likely to be endangered by reason of the movement of the locomotive, give sufficient and timely warning of the approach of that locomotive, being a warning audible to persons for the time being at or near that level crossing, curve, or place (as the case may be).

13. No person shall move or attempt to move a vehicle on a line by pushing a buffer thereof.

14.—(1) No person shall ride on any buffer of a vehicle in motion on a line (not being a vehicle forming part of a train with respect to which regulation two applies) unless there is a secure hand-hold easily reached by any person riding on that buffer, and no person shall stand on that buffer unless there is also a secure footplace thereon.

(2) No person shall be carried along by a vehicle on a line by riding on a pole, prop or other similar appliance.

Stationary vehicles

15. No person in charge of a vehicle at a mine shall leave it, or allow it to be left, on an incline described in paragraph (c) of regulation four, unless the vehicle is properly secured.

16. The manager of every mine shall make and secure the efficient carrying out of arrangements whereby in every case in which, for the purpose of affording passage across a line, a space is left between two vehicles stationary on one track of rails, that space is not less than fifteen feet in width.

17. It shall be the duty of the person in immediate charge of the carrying out to any vehicle on a line of any operation of repair to ensure that, in every case in which the safety of a person engaged in that operation might be endangered as a result of the movement of a vehicle, a danger signal is displayed at or near each end of the vehicle under repair or (if that vehicle for the time being forms part of a train of vehicles) of that train (as the case may be), being an end which might be struck or moved by another vehicle.

Restrictions on passage of persons on foot

18. No person shall pass immediately in front of any vehicle moving on a line under screens at a mine, or between any vehicles so moving:

Provided that nothing in this regulation shall apply to the person in charge of that vehicle or those vehicles (as the case may be).

19. No person shall cross a line by passing underneath any vehicle thereon if by so doing his safety might be endangered by traffic.

Stacking of material beside lines

20. The manager of every mine shall make and secure the efficient carrying out of arrangements whereby, in every case in which any material is placed (otherwise than on ground ordinarily used for the stocking of material) at a distance less than three feet from the track of rails of a line and any person employed at the mine is required in the course of his duty to pass on foot over that material or between it and the line, that material is so placed in such manner that—

- (a) every such person can so pass without being exposed to risk of injury by traffic on that line; and
- (b) if that material extends (whether continuously or not) for a distance exceeding sixty feet measured parallel with that line, there are provided at intervals not greater than sixty feet adequate spaces or recesses in that material.

Minimum age for locomotive drivers and shunters

21.—(1) No person who has not attained the age of eighteen years shall be employed at a mine for the purpose of driving a locomotive on a line.

(2) No person who has not attained the age of sixteen years shall be employed in relation to a line as a shunter.

Interpretation

22.—(1) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say—

- “the Act” means the Mines and Quarries Act, 1954;
- “line” has the meaning assigned thereto in regulation one;
- “locomotive” means a mechanically propelled vehicle running on a track of rails and constructed or used for moving other vehicles;
- “mine” has the meaning assigned thereto in regulation one.

(2) The Interpretation Act, 1889(d), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

EXPLANATORY NOTE

(This note is not part of the order, but is intended to indicate its general purport.)

This order is made under the Mines and Quarries Act, 1954, s. 190, which empowers the Minister of Fuel and Power to re-enact (to the extent to which they could be enacted in regulations made under the Act and subject to modifications of the kind specified in that section) the provisions of regulations which will cease to have effect at the commencement of the Act.

The provisions set out as regulations in the schedule to this order apply above ground at every mine of coal, stratified ironstone, shale or fireclay in relation to any railway line which is deemed (by virtue of subsection (3) or (5) of s. 180 of the Act) to form part of the mine and which is (except in the case of reg. 2) of a gauge not less than 4 feet 8½ inches. These regulations require that certain points rods and signal wires must be protected, and certain ground levers installed as specified, in the interests of the safety of persons employed at such mines. It is the duty of the mine manager to ensure that appropriate equipment and safety devices are provided. The regulations also make provision with regard to the proper operation of points; the safe movement of vehicles; the securing and positioning of stationary vehicles; the conveyance of persons in trains and the passage of persons on foot; the stacking of materials beside lines; and the minimum age for locomotive drivers and shunters. The regulations comprise, and will at the commencement of the Act replace, provisions of the regulations specified in art. 1 (1) of the order.

STATUTORY INSTRUMENTS

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ISBN 0 11 100204 4

Reprinted 1989

Printed in the United Kingdom for Her Majesty's Stationery Office

833 W0360 C10 3/89 51.0.0 60488 ON 53891